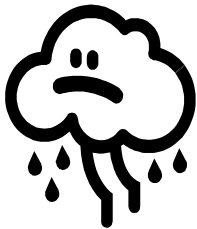


Department of Human Services

Articles in Today's Clips Wednesday, December 6, 2006

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Prepared by the
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Michigan Senate passes 4-year welfare limit

12/5/2006, 6:58 p.m. ET

By **DAVID EGGERT**
The Associated Press

LANSING, Mich. (AP) — The state Senate on Tuesday continued the Republican press for welfare changes by passing legislation that would limit Michigan recipients to four years of cash assistance.

But Democratic Gov. Jennifer Granholm said the GOP-led Legislature should not consider welfare limits until first increasing the Merit Award college scholarship.

The Senate's welfare vote may further set the table for lame-duck bartering between Granholm and Republicans, who will lose control of the House in January.

"If they approve Merit, then we can talk about other issues," Granholm spokeswoman Liz Boyd said of Republicans.

The Senate voted 22-16 to pass a four-year lifetime welfare limit, which would not apply to people with learning disabilities, certain physical limitations and chronic mental health problems. Because the House passed a similar bill last week, the legislation could reach Granholm soon — depending on how GOP leaders decide to proceed.

The bill also sets up penalties for recipients who do not comply with work or educational requirements. The first violation would halt cash payments for three months, the second for another three months and the third for a year.

Senate Families and Human Services Chairman Bill Hardiman, R-Kentwood, said the welfare changes would help more recipients become self-sufficient while protecting those who cannot move out of the system.

In response to criticism of the measure, he said: "Is it right to leave people on welfare for generation after generation? I think not. Is it right to just leave the system as it is? No it is not right."

But Democrats and one Republican cited Michigan's poor economy as a reason to be wary of the legislation, also questioning how the measure might hurt children. The Granholm administration said it is confident in a new state program that concentrates more on training and educating welfare recipients rather than just finding them a job.

"Instead of thinking of the adults and kicking them in the butts because they're not working fast enough for you, think about those little kids," said Sen. Shirley Johnson, R-Troy.

Hardiman noted that the bill would expire in 2011, meaning the Legislature would need to renew it before anyone is actually kicked off welfare. Granholm has said she favors a time limit but one with exceptions.

Parts of the state's welfare law are set to expire at year's end.

Johnson and Republican Laura Toy of Livonia joined 14 Democrats in opposing the welfare bill. Democrats Jim Barcia of Bay City and Dennis Olshove of Warren voted for the bill along with 20 Republicans.

The welfare bills are House Bills 6580 and 6587, and Senate Bills 1500-01.

David Eggert can be reached at [deggert\(at\)ap.org](mailto:deggert(at)ap.org)

Michigan Report

December 5, 2006

SENATE ACTS ON WELFARE REFORM

On a 22-16 vote the Senate on Tuesday approved its own version of legislation that would impose a 48-month lifetime limit on a welfare recipient, but [SB 1501](#) probably faces the same reaction from Governor Jennifer Granholm as House-passed legislation setting a time limit: a veto.

In fact, [Sen. Shirley Johnson](#) (R-Troy) specifically asked Lt. Governor John Cherry if she could get an invitation to any veto ceremony. Ms. Johnson, along with [Sen. Laura Toy](#) (R-Livonia), voted against the bill; [Sen. Jim Barcia](#) (D-Bay City) and [Sen. Dennis Olshove](#) (D-Warren) were the Democratic votes for the bill.

Last week the Senate passed [SB 1500](#) which creates a nine-month extension to the state's current welfare system that is set to expire on December 31.

The bill the Senate passed is also similar to provisions the House approved last week.

The administration of Ms. Granholm has argued that the state should focus instead on taking statewide the jobs, education and training program (the JET program) the Department of Human Services now has underway to see how well that helps move welfare recipients into work.

While the bill does create a 48-month limit for welfare recipients to get benefits, [Sen. Bill Hardiman](#) (R-Kentwood) said the measure provides safeguards for those who truly cannot work.

For example, Mr. Hardiman said, the bill as substituted would protect those mentally unable to work.

And the measure also allows the 48-month clock to stop any month that a recipient is meeting the work requirements, Mr. Hardiman said. Those months would not count towards the 48-month limit.

Most important, Mr. Hardiman said, the bill would expire before the 48-month time limit expires so legislators can review if the plan is working as expected.

"The fact is we need to help them move on" towards self-sufficiency, Mr. Hardiman said. "This is about moving them off a system that spawns dependency."

But Ms. Johnson, who played a major role in the 1996 welfare reform legislation, said that the proposal would hurt children more than anyone else.

In 10 years the state has gone from 244,000 welfare cases to about 80,000 cases, and most of the people in those cases are children, she said, and for the state to toughen work requirements at a time when the state's economy is still struggling makes no sense.

“You want them to scrub floors at \$5 an hour in this economy?” she said. “For a pro-life group of people you ought to be looking at the effect on the children.”

And [Sen. Gilda Jacobs](#) (D-Huntington Woods) said today’s economy does dictate a somewhat different response than the economy of a decade ago.

But Mr. Hardiman somewhat heatedly said that the bill is important to help children how to learn how to stay off welfare. “Kids will be better off if they see their parents working and learn from that,” he said.

Senate Passes Welfare Reform

MIRS, Tuesday, December 5, 2006

The Senate passed a bill that would put a 48-month lifetime limit on welfare recipients today. And even though the bill includes many more exemptions than did the 48-month lifetime limit welfare reform bill the governor vetoed earlier this year, it looks like it has the same dim future.

[SB 1501](#) would create a 48-month lifetime limit, but would also stop the clock for recipients who are following their program guidelines, are employed, are mentally or physically impaired or live in a county that has an unemployment rate that's greater than nine percent. The bill also sunsets before anyone would actually be kicked off welfare, meaning a future Legislature would need to vote to continue the act if it were signed into law.

Although Republicans claim [SB 1501](#) is everything the administration has asked for, it's still probably not enough to get Gov. Jennifer [GRANHOLM](#) to sign it.

The administration has said that it agrees with what the Department of Human Services (DHS) is asking for. The DHS wants the Legislature to hold off on employing welfare reform until after the fall when the state's Jobs, Training, Education (JET) program receives its first assessment.

Sens. Shirley [JOHNSON](#) (R-Troy) and Laura [TOY](#) (R-Livonia) were the only two Republicans to vote against the bill. Johnson got engaged in a lively debate with proponents of the bill, arguing that so-called welfare reform hurts the children who get kicked off because their parents make a mistake.

After the bill's sponsor, Sen. Bill [HARDIMAN](#) (R-Kentwood), gave his argument as to why the bill needs to pass, Sen. Gilda [JACOBS](#) (D-Huntington Woods) stood up to say that the Legislature should wait for the results of the JET program.

Johnson got in line behind Jacobs and then said to her Republican colleagues, "For a pro-life group of people you ought to be looking at the kids."

Then Sen. Irma [CLARK-COLEMAN](#) (D-Detroit) got up and said that when she asked Hardiman what would happen to the kids, he told her to talk to protective services.

After Clark-Coleman made her statements, Hardiman got up and spat back in an uncharacteristically raised voice that shut the room up for a few minutes.

"I'm sick of being attacked for not caring about the people that I do care for!" Hardiman yelled.

The exemptions provided in the bill make sure that people (kids included) are not unnecessarily kicked out of the system. The emphasis on getting recipients skilled and in the work place also teaches kids how to work and not be dependent on the system, he said.

The bill also lets welfare recipients who are working, keep more money.

The bill passed 22-16 with Toy and Johnson voting no with the Dems and Sens. Dennis [OLSHOVE](#) and Jim [BARCIA](#) (D-Bay City) voting yes with the Republicans.

After the vote, Johnson made a likely prediction — the bill will get vetoed — and then asked Lt. Gov. John **CHERRY** for a favor.

"Would you see that I'm invited to the Governor's veto party on [SB 1501](#)?" she asked.

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December 6, 2006

Reports of child abuse ignored

Agency review finds that state workers failed to look into complaints in required time frame.

Kim Kozlowski / The Detroit News

LANSING -- State workers failed to investigate some allegations of child abuse or neglect thoroughly or within required time frames, according to a new report from Michigan's Office of Children's Ombudsman.

Those allegations were among the highlights of the agency's 2004-05 report, which was presented Tuesday to the state's House Family and Children's Service committee.

"They (the incidents in the report) are representative of what's going on (in the system)," said Stacie Bladen, an investigator with the ombudsman's office. "We've seen similar reports by the Foster Care Review Board, the Auditor General reports and the Child Death Review Team."

The report, based on investigations of 111 complaints to the ombudsman's office, documented:

- 37 instances of workers submitting incomplete, untimely, inaccurate or insufficient documentation.
- 12 incidents in which children in foster care were separated from their siblings or moved for inappropriate reasons.
- Nine instances of foster children not getting needed services.
- Six instances of insufficient supervisory oversight of case workers.
- Four instances of workers assessing the safety of only one child in a home where more than one child lived.

"We have laws and policies that are there. We need to comply with those laws and policies," said Verlie Ruffin, the state Children's Ombudsman.

The office, which investigates complaints about the child welfare system, received 782 complaints regarding nearly 1,400 children in 72 counties during 2004-05.

Of the complaints, 111 were deemed valid and investigated.

The report was not representative of the estimated 75,000 allegations of child protection violations that state workers investigate each year, said Steve Yager, of the Michigan Department of Human Services.

Ruffin said the state has been responsive to its reports in the past and recognizes that staff turnover plays a role in some of the most recent findings.

The report makes several recommendations for the Department of Human Services, including finding ways to conduct more thorough investigations, especially when infants are born to parents who have lost their rights to other children due to abuse or neglect.

The report also recommends that the state ensure that Medicaid-eligible children placed in foster care get their cases opened within five days and that procedures be developed to locate relatives when making decisions about where to place the children.

You can reach Kim Kozlowski at (313) 222-2024 or kkozlowski@detnews.com.

The Office of Children's Ombudsman take complaints from

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New report documents problems investigating child abuse

LANSING, Mich. A new report from the Michigan Office of Children's Ombudsman shows that state workers failed to properly investigate some allegations of child abuse or neglect.

The agency's 2004-2005 report was presented yesterday to a House committee and was based on investigations of 111 complaints.

It documented more than three dozen instances of workers submitting incomplete, untimely or inaccurate information and 12 instances where foster children were separated from their siblings or inappropriately moved. Other problems included foster children not getting needed services and insufficient supervisory oversight of case workers.

The office received 782 complaints regarding nearly 14-hundred children in 72 counties during the study period.

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Ombudsman Report Critical Of CPS

MIRS, Tuesday, December 5, 2006

A Children's Ombudsman report reviewed today by a House committee found that over the past seven years Child Protective Services (CPS) has had a problem complying with state law and making good decisions.

The House Family and Children Services Committee reviewed the report, which may draw particular close attention in light of recent high profile cases where the state's child welfare system apparently broke down, such as in the Ricky **HOLLAND** case, where a 7-year-old foster care child was killed by his foster parents.

The report claims the Office of Children's Ombudsman (OCO) continues to review cases where CPS investigations were not thorough, not completed within required time frames, and documentation was inaccurate or insufficient, or the disposition of the complaint was inconsistent with the case facts and evidence.

Under law, CPS workers are required to thoroughly investigate complaints of abuse and neglect and consider all relevant evidence when determining whether a preponderance of evidence of abuse or neglect exists. At the conclusion of an investigation, the worker is required to assign a category to the complaint based on the facts and evidence.

In addition, CPS policy requires supervisors to review workers' reports service plans, and other documents to assure accurate completion of documents, review decision making, and allow timely correction of any errors.

However, according to the report, the OCO continues to find instances where supervisory oversight did not occur or did not occur within appropriate time frames. The OCO made six findings specifically related to lack of supervisory oversight during this fiscal year.

Also, the OCO continues to review cases where siblings are separated or the separation is maintained without adequate justification, or children are moved for inappropriate reasons or without proper notification to the child's caregivers and the Foster care Review Board. The OCO reported 12 findings during this fiscal year related to placement issues of children in foster care.

Dad charged with murder

South Lyon police say he threw baby

BY GINA DAMRON
FREE PRESS STAFF WRITER

December 6, 2006

A 31-year-old South Lyon man was arraigned in Novi's 52-1 District Court on Tuesday afternoon on charges that he killed his 11-month-old daughter.

Steven McBurney was charged with first-degree felony child abuse on Monday, after admitting to police that he threw his daughter, Madison, into her crib Thursday, causing her to hit her head. Tuesday, the charges were amended to include one count of felony murder.

Conviction on the murder charge carries a sentence of life imprisonment.

South Lyon Police Lt. Steve Sharpe said that after McBurney threw Madison into the crib Thursday, he called 911, saying she had gone into a seizure and was having trouble breathing.

Madison died Monday night at C.S. Mott Children's Hospital in Ann Arbor, Sharpe said.

He said hospital officials called South Lyon police Saturday, saying they suspected child abuse.

McBurney was arrested Sunday at the hospital and, that day, admitted that while Madison's mother was at work, he became frustrated with the baby because she wouldn't be quiet.

Sharpe said McBurney was convicted in 1998 of child abuse in Wayne County.

Sharpe said that, in that case, McBurney denied the charges and said the child wasn't his.

The case is only one of three infant deaths related to child abuse in South Lyon in 10 years that Sharpe could remember.

"They're hard for everyone involved," he said.

McBurney was denied bond and is being held in the Oakland County Jail. He's scheduled to be back in court for a pre-examination conference in 52-1 District Court at 9:15 a.m. Dec. 13.

Contact **GINA DAMRON** at 248-351-3293 or gdamron@freepress.com.



Steven McBurney, 31, is being held without bond. His infant daughter, Madison, died Monday night.

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December 6, 2006

S. Lyon man charged in infant's death

Injuries considered consistent with shaken baby syndrome; man was convicted in 1998 case.

Joe Menard / The Detroit News

NOVI -- A 31-year-old South Lyon man with a history of child abuse faces up to life in prison without parole on charges that he killed his infant daughter by violently shaking her and throwing her into her crib for crying.

Steven Lindsey McBurney was arraigned on felony murder and child abuse charges Tuesday by 52-1 District Judge Dennis N. Powers in the death of 11-month-old Madison McBurney of severe head trauma. He is being held without bond at the Oakland County Jail in Pontiac.

McBurney shook and threw his daughter into her crib Nov. 30 from 2 feet away after she wouldn't stop crying, police said. She died Monday night at C.S. Mott Children's Hospital in Ann Arbor.

"He confessed to throwing Madison in the crib, at which time she hit the back of her head on a spindle and began having seizures," said South Lyon Police Detective Chris Sederlund.

McBurney stood mute at the arraignment. He had no attorney present, and the court entered a not guilty plea on his behalf. He will be back before Powers for a Dec. 13 hearing.

His mother, Cynthia McBurney, told Powers the family had hired a lawyer, but declined to speak with the media following the hearing.

Oakland County Assistant Prosecutor Kelly Chard said McBurney called 911 after he threw Madison and she began convulsing and was unresponsive. She was admitted to Mott and underwent emergency surgery for a brain injury known as subdural hematoma and retinal hemorrhaging consistent with shaken baby syndrome. She was put on life support and died Monday.

Doctors also noticed an old subdural hematoma that McBurney told police happened several months ago when he accidentally dropped her from about 5 feet while she was in a "bouncy seat," Chard said.

"There could be more to it," she said. "I'm not sure. The case is still under investigation."

She added that Madison's mother is a nurse who was at work during last week's incident and is cooperating with the investigation.

It is not the first time McBurney has been accused of abusing an infant.

He pleaded guilty to second-degree child abuse in Wayne County in 1998 for fracturing a 4-month-old boy's skull. He received four years of probation.

Chard said she was unsure whether McBurney was the father of the child in the 1998 case.

You can reach Joe Menard at (248) 647-7429 or jmenard@detnews.com.

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Dad faces charges in baby's death

Father was convicted of 2nd-degree child abuse in 1998

Of The Oakland Press

SOUTH LYON - A South Lyon man convicted of second-degree child abuse in 1998 was charged with murder the day after his 11-month-old daughter died with severe head injuries.

Steven Lindsey McBurney, 31, stood mute to one count each of felony murder and first-child abuse at his arraignment Tuesday before 52-1 District Court Judge Dennis Powers. A not-guilty plea was entered on his behalf.

Assistant Prosecuting Attorney Kelly Chard said McBurney admitted that he became frustrated with his daughter Madison's crying and threw her into a crib from a distance of about 2 feet away. He said the girl hit her head on a crib spindle and had a seizure.

McBurney called 9-1-1 Thursday and said the baby was unresponsive and having breathing problems, Chief Deputy Prosecutor Deborah Carley said Monday. She was taken to C.S. Mott Children's Hospital in Ann Arbor. South Lyon police Lt. Steve Sharpe said a social worker there suspected abuse and contacted police.

Doctors found two subdural hematomas - bruising and bleeding on the brain. One injury was old and one new. Chard said Madison also suffered from retinal hemorrhaging, a sign of shaken baby syndrome. Doctors performed surgery to relieve pressure on Madison's brain. She showed no signs of brain function and went on a respirator. She died Monday night. "It's an extremely sad case for everyone involved," Sharpe said. Chard said McBurney's wife, a nurse, had gone to work and left Madison in her father's care when she was injured. No other children were present.

Chard said McBurney also told police that he was carrying Madison in a seat about four months ago when she fell and hit her head.

McBurney, who works in landscaping, was convicted of second-degree child abuse in 1998 in Wayne County. He served four years of probation.

In that case, a 4 1/2-month-old boy suffered a skull fracture. Chard said McBurney claimed the child was not his, but police records indicate otherwise.

Powers ordered McBurney held without bond. If convicted, he could spend the rest of his life in prison.

A woman identified as McBurney's mother attended Tuesday's hearing but didn't talk to reporters.

A pre-exam conference is set for 8:35 a.m. Dec. 13.

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Article published Dec 6, 2006

Father arraigned in infant's death

By Jennifer Sullivan
DAILY PRESS & ARGUS

Madison McBurney will never see her first birthday.

Police say injuries sustained as a result of child abuse robbed the 11-month-old of her life. She died at 8:45 p.m. Monday night at Mott Children's Hospital in Ann Arbor.

Steven Lindsey McBurney, 31, of South Lyon was arraigned Tuesday on felony-murder and first-degree child-abuse charges in Novi's 52-1 District Court, less than 24 hours after his daughter died.

Madison was transported by ambulance to University of Michigan Medical Center on Thursday evening. According to Oakland County Assistant Prosecutor Kelly Chard, hospital staff contacted police Saturday evening after determining the infant was likely to die within 48 hours as a result of head injuries consistent with child abuse.

Chard said the infant had sustained a subdural hematoma, which causes severe swelling and bleeding of the brain, as well as retinal hemorrhaging, an injury often found in cases of Shaken Baby Syndrome.

South Lyon police arrested McBurney for child abuse early Sunday morning at Mott Children's Hospital.

McBurney told officers that he became frustrated with his daughter and threw her into her crib because she wouldn't stop crying. Her head hit a spindle, he said, causing her to have a seizure. McBurney then called 911 and said the infant was having trouble breathing. Chard said the child's mother, a nurse, was away from home when the abuse occurred.

In 1998, McBurney pleaded guilty to one count of second-degree child abuse in Wayne County and received four years' probation. The child, a 4-month-old boy, suffered from a nonfatal skull fracture, Chard said.

McBurney stood mute at his arraignment, and the court entered a not-guilty plea on his behalf. He plans to retain his own counsel.

He is being held without bond in the Oakland County Jail awaiting a pre-exam scheduled for Dec. 13 before District Judge Brian MacKenzie. If convicted of felony murder, he will receive a mandatory sentence of life in prison without parole.

Alyson Iott contributed to this report. Reach Jennifer Sullivan and Iott at (248) 437-2011.

ClickOnDetroit.com

Father Charged In Death Of Baby

UPDATED: 7:34 pm EST December 5, 2006

SOUTH LYON, Mich. -- A South Lyon father was charged with murder in the death of his baby daughter in a Novi courtroom Tuesday, Local 4 reported.

According to prosecutors, if convicted Steven McBurney, 31, could get life in prison with no parole.

Police said McBurney called 911 last Thursday and said his 11-month-old daughter was unresponsive and having seizures. His daughter, Madison, passed away at a hospital in Ann Arbor Sunday night.

South Lyon police said McBurney told investigators he threw Madison into her crib when she wouldn't stop crying.

Investigators said the child's injuries were consistent with shaken baby syndrome. Doctors said they had also discovered a month-old injury on the baby, and McBurney said he dropped the baby a couple of months ago.

Police added that McBurney has a 1998 conviction for second-degree child abuse in Wayne County.

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Hearing delayed in Warren child-torture case

BY DAN CORTEZ
FREE PRESS STAFF WRITER

December 6, 2006

A Warren woman charged with torturing her adopted twin daughters will wait another two weeks for a preliminary exam in the case.

Tamika Williams, 30, faces two counts of torture and two counts of child abuse. The torture charges carry a sentence of up to life in prison upon conviction. Close to a dozen of her family members and friends were at the 37th District Court in Warren to support her Tuesday.

Mitchell LeSueur of Detroit said his daughter is crestfallen about the charges against her.

"We've talked to her. She's sad," he said.

LeSueur said he has not talked to or seen his 8-year-old granddaughters since Williams was arrested Nov. 22 and charged with abusing them at her home on Toepfer Road.

According to a report in a juvenile court filing, Williams used the twins as ashtrays, stabbed them with glass and knives, burned them with cigarette lighters and beat them with exercise equipment. They also said she forced them to sleep on the floor without blankets, choked them with a belt and bound their arms and legs with rope.

In court filings, Williams said the twins harmed themselves and that she didn't notice the burns and bruises that investigators said covered the girls "from head to toe."

A teacher at Warrendale Elementary School in Warren noticed bruises on one of the twins last month. The next day, an injury was noted on the other twin, and Warren police were called to investigate.

Williams' exam was adjourned until Dec. 19 before Judge Dawnn Gruenburg so her court-appointed attorney, Ronald Goldstein, can study the case. She remains in the Macomb County Jail with bond set at \$1 million, though Goldstein said he will ask for a lower bond at the exam.

Williams also has a hearing scheduled for Dec. 15 in the family division of the Macomb County Circuit Court. Child Protective Services has moved to terminate her parental rights to the girls, who have been placed with a foster parent.

Contact **DAN CORTEZ** at 586-469-1827 or dcortez@freepress.com.



Tamika Williams, 30, of Warren is accused of burning, stabbing, choking, binding and beating her 8-year-old twin daughters.

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December 6, 2006

Mother's exam in abuse case delayed

Her lawyer wants more time to review evidence; client charged with torture of twin girls.

Edward L. Cardenas / The Detroit News

WARREN -- The criminal case against a Warren woman accused of abusing and torturing her 8-year-old adopted twin daughters was adjourned Tuesday for two weeks.

Defense attorney Ronald Goldstein requested the additional time to review evidence and request color photographs of the girls' injuries in the case against his client, Tamika Williams.

"I received the discovery (Monday)," Goldstein explained in his request for more time.

Warren 37th District Judge Dawnn Gruenburg granted his request and adjourned Williams' preliminary exam until Dec. 19. Williams will continue to be held in the Macomb County Jail on \$1 million bond. "We will be requesting a reduction of bond at the preliminary exam," Goldstein said.

Nearly a dozen of Williams' supporters filled the first two rows of Gruenburg's courtroom for the proceedings. "She is sad," said Mitchell LeSueur, Williams' father.

Authorities said Williams adopted the two girls in 2005 from a foster home in Southfield. In the months that followed, they are alleged to have suffered bruises, welts and cigarette burns, among other injuries.

Macomb County Prosecutor Eric Smith has alleged that the girls were beaten with a foot-long spring used for exercise and burned multiple times with cigarettes. They are in a foster home.

State officials removed the girls from Warrendale Elementary School on Nov. 16, the day after teachers first reported seeing injuries.

Williams, 30, was arrested Nov. 22. The third-graders were enrolled in the East Detroit school district in February, and school officials said there was no indication of abuse before the teachers' report.

Williams faces up to 15 years in prison if convicted of child abuse and could face life if convicted of torture. Her relatives have told The Detroit News the sisters have a history of beating one another up, stealing food and lying.

Williams' cousin Linda Taylor said Williams was familiar with the girls' history but still went ahead with the adoption because she "loved her girls."

You can reach Edward L. Cardenas at (586) 468-0529 or ecardenas@detnews.com.

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THE DAILY Reporter

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Dr. Beck: Children were intentionally deprived of water

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By Don Reid-Staff Writer

COLDWATER — "Forced water depravation — intentional" is the only way for Jonathan Hale's then two-year-old daughter and four-year-old son to arrive in "critical" condition with extreme dehydration when they were transferred from Community Health Center of Branch County (CHC) to the Kalamazoo hospital, Bronson Hospital pediatrician Dr. Robert Beck said.

He called the case "child abuse."

"If they had water within seven days they would not have come in in this condition," Beck stated in cross examination by defense attorney Rhonda Ives.

"I have never seen a child over 170 (sodium level) in my career," Beck told the jury in the trial of Brandalyn Wertz-Hale, 24, for child abuse of her two stepchildren. Dehydration, a condition called hypernatraemia, does not allow the body to excrete sodium.

The expert witness said there was no way the medical condition was not caused by an intentional act. The doctor explained vomiting and diarrhea would not have caused the extreme imbalance of sodium in the children.

"The only way to get to these levels of sodium is to be water deprived," he explained.

The medical expert — who has treated hundreds of children in his 16-year career — said the sodium levels could have killed causing heart failure at anytime — within hours to a day.

Dr. Beck said the dehydration did not develop or occur over a day but it happened "slow over time...three, four or five days." If deprived longer than the week they stayed with the father and stepmother, they would have been in poor health when they arrived, Dr. Beck stated.

He also said they did not need to be totally deprived of water, just enough to get rid of excess sodium in the body. Beck estimated at both children's weight, they would need five cups of water a day to maintain proper sodium levels. The doctor also said you cannot give water too quickly because an immediate sodium drop can occur, causing brain swelling and even death.

The first of the treating Bronson Hospital physicians, Dr. Aaron Lane-Davie, said the children were treated and sodium levels were normal within 48 hours. They were released a day later. This indicated the medical condition was caused by lack of water, the doctor explained.

Dr. Lane-Davies said normal children — whose sodium levels are out of balance — always seek water.

Jurors also read a note, written by defendant Wertz-Hale, seized during a June 16 search of her home. The search was part of a Michigan State Police (MSP) investigation into charges of child abuse against the stepmother over the Memorial Day holiday until June 6, 2003.

The angry note to husband Jon said, "If you want me to watch your kids you ask don't just

leave. They don't like me or listen."

This is contrary to claims made to MSP Trooper Richard Johnson, now a Union City police officer, where she said the children were happy and liked to visit where everything went well.

Johnson testified Wertz-Hale admitted the four-year-old stepson ate slowly and whined for his dad. She had called Behavioral Health Services the week of the visit. Therapist Reed Stewart took the call. He said he was not the counselor for the boy but listened as Wertz-Hale complained the boy would not eat his cereal for breakfast and ran into the road in front of the Berry Street home in Quincy. Stewart said the tone of Brandalyn's voice was "frustrated." The stepmother said she didn't allow the child to eat lunch until he ate breakfast.

The therapist suggested Wertz-Hale call the child's mother for help. The small, blond mother of two other girls, then ages one and two, is charged with two counts of first degree child abuse, a 15-year felony, and two counts of second degree child abuse, a four-year felony.

Prosecutor Kirk Kashian and assistant Terri Norris continued to layout more details from witnesses in the second day of the trial. They believe all the evidence will prove the two stepchildren were given salt and then not given liquids, which left them dehydrated and near death.

CHC emergency room Dr. Balraj Dahiya said he saw the boy in the early morning on June 7 and his sodium levels were 170.

"Severe dehydration — excessive sodium" were his diagnosis, and he ruled out other causes from tests and said the child's condition was from "more than just eating salt."

Dahiya also said he saw the little girl who had been transferred to Bronson Medical Center in Kalamazoo before he started his shift. Shown medical records, he indicated he saw Wertz-Hale's other two girls whose sodium (salt) levels were normal.

The boy asked for water, unusual for a child, according to ER nurse Laura Kopacz. She said the thin boy looked ill.

The boy was taken by his father to the ER, accompanied by police, after a search for him. Trooper Johnson testified he had gone to the Berry Street home with Child Protective Services worker Kim Willis after the children's mother Jolianne Conley came to the MSP Coldwater Post asking for help finding the boy.

When he returned the daughter, Jonathan told Jolianne he was keeping the boy because he was being punished. ER physician Dr. Richard Doud felt the boy was in danger after he found the younger sister was near death from dehydration.

When Johnson and Willis first went to the home it was locked from the inside and no one came to the door. Neighbors later said the couple and three children jumped into the truck and left when the patrol car drove away.

Johnson put out an alert to surrounding counties and officers began a search. The trooper told neighbors to have Jonathan call when he returned, which he did just before midnight.

Johnson said Brandalyn admitted the couple went upstairs then fled because they were scared and had previous contacts with the Family Independence Agency (FIA).

Trooper Tim Fitzgerald testified that Brandalyn, during the search of the house for the four-year-old boy, kept asking about the children's mother, in turn slowing down the effort to get the boy emergency treatment.

Willis explained the critical dehydration to Wertz-Hale who felt there was no reason for it.

Willis said she claimed to have given the two-year-old girl eight, eight-ounce glasses of water the day before. The stepmother admitted she was the one the children spent most of their time with and the boy had problems eating.

Willis admitted, under cross examination by Ives, there was no witness in her investigation that said Wertz-Hale withheld water from the Hale children.

During interviews Brandalyn showed little emotion and neither husband or wife could explain how the two children became so dehydrated. Willis showed the jury pictures of the children the night they were brought into the ER and after recovery weeks later.

Quincy neighbor Zail Bowerman recounted to the jury in late May 2003 that the two-year-old asked her for a drink of water when she met near a gate in her back yard. The little girl "guzzled down" the 12- or 16-ounce bottle and walked away with it.

When Bowerman told Brandalyn, she told the neighbor not to give the girl a bottle of water because she would make herself sick. The woman also noticed the look of the children, "like they didn't get enough sleep."

Grandmother Jodie Lindemann said her granddaughter — when she was brought into the hospital in Kalamazoo — "looked like an Ethiopian," a child frail with no color. Both children appeared very thirsty.

The trial will continued today and is scheduled through Thursday.

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12/05/2006

Generation Why

Foster Mom is a Super Hero

'The most kind-hearted person I know'

BY MARIE MARIANI

Special to the Record-Eagle

Record-Eagle/Douglas Tesner

Marie Mariani, right, with her foster mother Nancy Middaugh. Mariani describes Middaugh as "always being there for me."

My American Hero is not a superstar or known to everyone, but she is someone that I can call my American hero.

That person is my foster mom, Nancy Middaugh. She is the most kind-hearted person I know. She has taught me many things, especially to feel good about myself.

When I started going to Buckley schools, I was told that there were many racist people there. When she found out that I was nervous to go to the new school, she asked me what was wrong, so I told her. Nancy just told me that there could be some of that, but probably not much, and that it doesn't matter what other people think about you; it's what you think about you. I am just glad that I have Nancy there to back me up and to give me some really good advice.

When I first went to her foster home, I was so scared that I didn't talk for a week until Nancy told me that I didn't have anything to be afraid of. After that, I started talking more and I felt comfortable. I had been told that every foster home is bad because foster parents are really mean, but after I got to know Nancy I wasn't so worried about the foster home anymore. I am very thankful that my brothers and sisters and I ended up with really good caretakers, which would be the Middaugh family.

One thing that I really like about Nancy is that whenever someone is mad, she'll make them happy. Whenever someone is being put down, she brings them up.

Another thing that I like about Nancy is that she has humor. I just love it when someone will

say something and she starts bursting out laughing. I don't even think it's funny until she makes it funny.

My favorite part I really like about Nancy is her personality. I love it. Nancy is funny, caring, loving and trustworthy. It is a great thing that she and I get along very well. To me, she is my super hero. When someone is feeling down, she comes in and saves the day, like a super hero should.

Thanks to Nancy, I can feel good about myself, and also feel good about where I live. I also thank Nancy Middaugh for always backing me up and for always being there for me.

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Posted: 12-6-2006

Grant helps fund women's shelter repairs

Shelter at full capacity

The need for shelter for area victims of domestic violence is evident, with the Ludington home currently at capacity with six women and 13 children.

A \$20,000 grant from the Mary Kay Ash Charitable Foundation to Communities Overcoming Violent Encounters will help keep those residents warm this winter. The grant is enough money to provide the home's upstairs with a new heating/air conditioning system as well as paying to enclose a back porch.

COVE is one of the 150 shelters throughout the country to receive grants from the foundation.

The new heating system is being put in place next week, said Marie Waite, COVE's executive director since Oct. 1. The back porch project is expected to begin in a few weeks.

"I am thrilled to accept this grant from the Mary Kay Ash Charitable Foundation on behalf of Communities Overcoming Violent Encounters," Waite said. "Domestic violence is a significant and growing problem, one that affects millions of women and children. This grant will help us continue our work to protect, educate and care for victims of domestic abuse."

Waite said COVE is grateful for the help it receives from the community, mentioning specifically this year's Thanksgiving food drive.

"It has made a big impact on the clients we serve," she said.

See COVE, page A8

COVE

Continued from page A1

The Mary Kay Ash Charitable Foundation was created in 1996 to fund research of cancers affecting women, and in 2000, expanded its mission to include the prevention of violence against women. Since that time, the Mary Kay Ash Charitable Foundation has awarded more than \$8 million in grants to women's shelters throughout the county.

To help bring national attention to the problem of domestic violence, Mary Kay Inc. and the Mary Kay Ash Charitable Foundation also underwrote a PBS documentary in 2001 called "Breaking the Silence: Journeys of Hope."

The program has aired more than 800 times, reaching 98 million households throughout the nation. In 2005, the Mary Kay Ash Charitable Foundation gave an additional \$500,000 to underwrite a companion documentary called "Breaking the Silence: Children's Stories." The documentary chronicles the long-term effects of domestic violence on children.

Currently, the Mary Kay Ash Charitable Foundation is partnering with the Self Reliance Foundation and the Hispanic Communications Network to raise awareness and reduce domestic violence in Spanish-speaking, Latino communities across the country through an educational

campaign called “No Mas Silencio!” (No More Silence).

“The Mary Kay Ash Charitable Foundation has always been dedicated to helping women,” said Jennifer Cook, Mary Kay Ash Charitable Foundation board member. “We are hopeful that these grants will succeed in heightening awareness of the insidious problem of domestic violence against women, as well as providing much needed financial aid to local shelters on a grassroots level.”

How to help

- The shelter takes donations of time and money, with volunteers needed in all areas: general repair, administration such as filing and typing, painting, sorting donations and working with clients. Call the office at 843-2541 to help.
- If you or someone you know is a victim of domestic violence, contact the shelter at 845-5808 or 911 for immediate assistance.
- For more information, call the National Domestic Violence Hotline at (800) 799-7233 (voice), (800) 787-3224 (TDD).

Markets

Dec. 5, 2006, 2:08PM

Study: Farm Workers Need More Services

By **JAMES PRICHARD** Associated Press Writer
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GRAND RAPIDS, Mich. — A new state study described as the first comprehensive estimate since 1990 of the number of Michigan's migrant and seasonal farm workers and their families indicates that they need more and better support services.

"This report is about more than just providing adequate medical, educational and housing-related services to the farm workers who support our agricultural industry," Linda V. Parker, director of the Michigan Department of Civil Rights, said Tuesday. "Michigan's agricultural industry cannot survive without farm workers. Understanding and thus more efficiently and effectively serving the farm-working community is an economic and moral imperative."

The findings will be used to obtain grants and federal funds to improve such services where they are needed the most. The estimates of the numbers and demographics of migrant and seasonal farm workers are expected to better allocate these services.

"This study confirms that services for workers and their families are needed, particularly for their children," Martha Gonzalez-Cortes, director of the Michigan Department of Human Services' Office of Migrant Affairs, said in a written statement. "We're equipped with real numbers to help Michigan qualify for federal funding and for grants to provide these services."

The Michigan Interagency Migrant Service Committee oversaw the commissioned study, released Friday and primarily paid for by a \$30,000 grant from the U.S. Department of Housing and Urban Development. The Michigan Department of Education also provided funding.

The Office of Migrant Affairs is the lead agency for the committee, which is made up of representatives of 25 state and federal agencies and advocacy groups. Gonzalez-Cortes chairs the committee.

The study defines a seasonal farm worker as someone whose principal employment within the last two years has been in agriculture on a seasonal basis. A migrant farm worker is defined similarly but "establishes for the purposes of such employment a temporary abode."

It also looks at the number of non-farm workers in farm worker households and estimates the percentage of children and teens.

The study, which compiled and analyzed existing data rather than conducting surveys or counts, estimates there are a total of 90,716 migrant and seasonal farm workers and non-farm workers in Michigan. A total of 41,038 in farm worker families are younger than 20, including nearly 70 percent who are younger than 13.

The average worker family numbered five members.

Ottawa County had the largest estimated number of migrant and seasonal farm workers with 6,030, followed by Oceana County (4,855), Van Buren County (3,898), Berrien County (3,365) and Kent County (3,280). All five counties are in the western or southwestern Lower Peninsula.

The worker estimates include four primary agricultural industry classifications: field and orchard agriculture, food processing, greenhouse and nursery production, and reforestation. The figures do not include livestock or poultry farming, trucking or equipment operation, dairies or fisheries.

The study did not compare the new estimates with figures from previous reports, such as the one prepared in 1990.



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This is a printer friendly version of an article from **The Detroit News**
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December 6, 2006

Starving for help

Food bank reaches out to Metro area for aid

Candice Williams / The Detroit News

GENOA TOWNSHIP -- Gleaners Community Food Bank has reached out to other counties for donations to feed the growing number of hungry people in Livingston County this year.

The food bank has received about \$150,000 in donations this year from other counties, said Erica Karfonta, manager of the food bank. In addition to Livingston County, Gleaners Community Food Bank serves Oakland, Wayne and Macomb counties.

"We're continuing to distribute more food," Karfonta said. "Given our growth we're serving more people than we've never served before. Those that have never needed food assistance or didn't know we existed."

While donations have remained consistent, she said, the requests for groceries throughout the county have risen about 35 percent.

Karfonta said she hopes to increase local donations by raising awareness that there are hungry people living in the county despite its affluent image. In the 2000 Census, Livingston County had an average household income of \$67,400, compared to \$55,546 across Metro Detroit. Gleaners operates the Shared Harvest Food Pantry, which feeds more than 1,500 county families each month. The organization also distributes food through partnerships with agencies such as the Salvation Army and Meals on Wheels.

Many of the people who use the food pantry have either lost their jobs or make less than \$15 an hour, which is the minimum an individual needs to make to meet basic needs in the county, said Gerald Brisson, vice president of development for Gleaners. The average wage of those seeking food assistance is \$9 an hour. "The best reasons we can put to it is the economy," Brisson said. "People are still struggling, still adjusting and people aren't making it yet."

People are finding that they have to make choices between food, medication and housing, said Alissa Parks, coordinator for the Human Services Collaborative Body, a group of 26 health and human service professionals.

"We need to raise the awareness that we do have people who are struggling in the community to meet basic needs," Parks said. "Even though we do have a low poverty rate here it's hard to be poor here. People may be working, but not making enough to meet all of their needs."

You can reach Candice Williams at (517) 552-5504 or cwilliams@detnews.com.

How to help

To make a food or monetary donation to the county's Gleaners Community Food Bank, call (866) GLEANER ext. 335.

Gleaners is also holding a gift-wrapping fundraiser now through Christmas at Re/Max Platinum, 401 W. Main in Brighton.

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DHS supports area holiday drives, projects

Gladwin County Record

The Holiday Project, sponsored by the Gladwin County Department of Human Services, is accepting community donations of clothing, bedding, knick-knacks, etc. at the Gladwin Knights of Columbus Hall on Dec 13-15, from 10 a.m. to 4 p.m. each day. The items will be given away Saturday, Dec. 16 to several hundred Gladwin County families pre-registered with the Project.

Gladwin County DHS is also urging folks to support the Gladwin Youth Action Council with their Winter Wear Drive. There are collection barrels at several locations throughout the county.

And finally, Gladwin County DHS hopes those who can will support Toys for Kids, or any Caring/Angel Trees in our community by taking a tag and purchasing a gift.

These items will all end up at the Knights of Columbus Hall and eventually in the homes of some needy families.

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Benefactors remembered

By JOHN EBY / Dowagiac Daily News
Tuesday, December 5, 2006 10:15 AM EST

CASSOPOLIS - Sherry Roden remembers Rex Clark as a "teddy bear - a little boy in a big man's body. The most important thing to him was to make sure everybody else was happy. He had a smile if everyone else had one."

"Rexie" loved to travel and to see new things. He loved adventures, from the Cass County Fair to Disneyland.

He particularly liked Christmas and "literally believed in Santa Claus until the day he died," Roden recalled Monday noon at the Fall Festival luncheon funded by the Clark trust fund and hosted by the state Department of Human Services (DHS) office in Cassopolis.

"Christmas was his favorite season out of the whole year. Everyone else would be getting gifts and be smiling and he could give out his gifts. He was happy. He could get angry and upset," but it was short-lived.

Most of the time Rex was "bubbly."

With law enforcement officers in his family, one year he wanted a police car with lights and a siren that worked.

Carroll Clark, Rex's uncle, recalled the time Roden invited him to the Special Olympics in Dowagiac.

"Rex took off before the starter gun and he was way ahead. They had to disqualify him because he started too soon," Clark said. "It didn't matter. He thought he won until the day he died.

"It did my heart good to see these special people participating and then the ones who were there, caring. It's just a blessing. There's no monetary amount you can put on something like that. It touched my heart. Rex gave more to me in the short time I knew him than I could ever give to him."

"My brother set this trust fund up so when they passed away, the children had nothing to worry about. They were taken care of, monetarily.

"But what makes me feel good is people like Sherry who give the love. You have to love people" to provide foster care. "The money was there, so Rex and Martha didn't have to worry about it, but love has to come from someone, too," Clark said.

"Even now he's gone," Roden said, "it's like Rexie will always be my little boy. It's funny because I'll go in the store and have some of my residents with me. Most of them call me Mom. There will be this 80-year-old lady, 'Mom! Mom!' I just smile" at the startled looks from other shoppers.

"My mother told us, 'You treat them just like you would if they were your brother or your sister or your child or your parent. As long as you do that, you'll do okay.' It's a foster home, which makes it their home. That makes them our family. Rex and Martha really added a lot to my life."

Rex's and Martha's parents, Rex and Norma Clark, both taught in addition to farming on Downey Street in Silver Creek Township.

He taught government at Union High School and served on the county board. She taught elementary school.

Their children were both developmentally disabled. She preceded him in death by four years.

Both lived with Roden, a third-generation adult foster care provider, in Wayne Township. She is one of three siblings who provide adult foster care.

"I had Martha four or five years before she got cancer and passed away," Roden said.

Cass County has 20 AFC facilities licensed by the state Department of Human Services (DHS). At 12 residents, Roden's is one of the larger homes. She said she spends \$24,000 a year on groceries feeding her extended family.

Roden, who grew up in a family of seven children, said, "I'm going to go nuts with the empty nest syndrome when everyone's gone."

The Clark trust fund furnishes \$15,000 to \$18,000 a year to DHS and Woodlands Behavioral Healthcare Network.

"It's dedicated towards any programs for the health, benefit and welfare," explained Cindy Underwood, DHS adult services supervisor. "We try to focus on recreational things, like summer picnics, Fall Festival and bingo. The other thing we've decided to do is to look at their needs, so we're been able to give them clothing vouchers. In AFC, they have a limited amount of money, so we're able to do boots and coats and stuff with the money as well. And a big portion of it for them is adult day care at the COA (Council on Aging). We got the first check in 2001, so we've had this six years now. Adult day care is huge. That's socialization and getting out of the house and enjoying activities at the COA. We've done clothing allowances, summer picnics, Christmas dinners and gift baskets."

Underwood added, "The bank that does the trust asked us to start focusing on some educational things as well, so we're looking at maybe doing books and videos and going into the AFC homes and providing some of those. This trust money is split between us and Woodlands, which provides direct services to their clientele instead of trying to combine the two groups because their clientele is usually a little more developmentally delayed. They do separate programs. When we tried to combine them, (the AFC residents) complained because the Woodlands people were getting too much attention. We're always looking for what they need and what would be beneficial to them in their homes."

Previous holiday parties in cooperation with DHS and Woodlands Behavioral Healthcare Network took place at Mt. Zion Missionary Baptist Church in Dowagiac. Bingo followed lunch.

"Rex and Martha lived at home until their father passed away. Their mother passed away about a year later," Roden said. "The estate tried to have a caregiver come into the home to take care of the children, but that didn't work out. One day (Carroll Clark's brother) Dick called me. I've known him most of my life."

It was election season and Dick, a captain with the Sheriff's Office, wanted to know if he could put campaign signs in her yard. She consented. Clark recognized his nephew.

"That's how this relationship began," she said. "The uncles came out a lot and did a lot of activities and they helped tremendously when Martha was sick and passing away, and a lot with Rexie."

Snow and wintry cold dented anticipated attendance of about 40 people for a turkey and roast beef "Fall Festival" luncheon at Cassopolis United Methodist Church, 209 S. Rowland St.



Sherry Roden and Carroll Clark address the adult foster care Fall Festival Monday at Cassopolis United Methodist Church.

State Employees To Receive Pay Increase

MIRS, Tuesday, December 5, 2006

The state's 15,400 non-union employees (NERE's) will receive more money in their pay checks in Fiscal Year (FY) 2008 thanks to action taken today by the Civil Service Commission (CSC).

Beginning Oct. 1, 2007, the nonexclusively represented employees will receive a 2 percent across-the-board-pay hike followed by another 2 percent increase on April 6, 2008. The increase is in line with pay hikes negotiated with union-represented employees earlier.

In addition, a special 30-cent per hour wage increase is being granted to Department of Corrections (DOC) shift supervisors 11, 12 and 13 and to DOC security inspector 13, effective Oct. 1, 2007. Assistant resident unit supervisors 11 and resident unit managers 13 will receive a special 40-cent per hour wage increase on Oct. 1, 2007. These increases are the second part of a good faith agreement reached in earlier negotiations.

The maximum annual Lottery Sales Incentive Program award is being raised from \$2,500 to \$3,600.

The Commission rejected a \$755 lifetime lasik/laser surgery benefit for NEREs requested by the Association of State Employees in Management (ASEM), but agreed to have staff study the issue to see if such a benefit would result in long-term savings if the surgery would result in a savings of eyeglass expenditures.

A request by the Michigan State Police Command Officers Association to create 10-, 15-, and 20-year pay steps for all state police command officer pay ranges was also denied. Such steps were included in the earlier Michigan Troopers Association agreement, but were done so in exchange for other concessions.

The CSC also recommended a 2-percent merit salary increase beginning Oct. 1, 2007 and an additional 2-percent increase on April 6, 2008 for certain unclassified positions. Salary increases for unclassified employees require legislative approval.

In other action, the Commission today certified, as required by the state Constitution, the total aggregate payroll for the classified service for FY 2006 in the amount of \$4,412,132,500. The CSC is granted 1 percent of payroll for its annual budget, which provides a funding base in FY 07 of \$44,121,325.

In FY 06, the state paid out \$2,815,365,000 in base payroll. Insurances cost \$590,303,400 and retirement costs totaled \$716,329,000. Social Security, Medicare and Unemployment insurance claims totaled \$253,355,500. The remaining costs were for professional development, and annual and sick leave payments.

The Commission also approved an FY 08 department operating budget of \$37,537,400 up slightly from the current year appropriation.